

HOUSE BILL 852

Unofficial Copy  
N1

2003 Regular Session  
3r2281  
CF SB 258

---

By: **Delegates Bobo, Bozman, Brown, Frush, Goldwater, Moe, Pendergrass,  
Quinter, and F. Turner**

Introduced and read first time: February 7, 2003

Assigned to: Environmental Matters

---

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Condominium Act - Meetings of Council of Unit Owners - Quorum**

3 FOR the purpose of authorizing an additional meeting of the council of unit owners of  
4 a condominium to be called under certain conditions if the number of persons  
5 present at a properly called meeting is insufficient to constitute a quorum;  
6 requiring a certain notice of the additional meeting to be given in a certain  
7 manner; requiring the notice to contain certain information; providing that the  
8 unit owners present in person or by proxy at the additional meeting constitute a  
9 quorum; authorizing certain actions to be taken at the additional meeting; and  
10 generally relating to meetings of a condominium council of unit owners.

11 BY repealing and reenacting, with amendments,  
12 Article - Real Property  
13 Section 11-109(c)(8)  
14 Annotated Code of Maryland  
15 (1996 Replacement Volume and 2002 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Real Property**

19 11-109.

20 (c) (8) (I) Unless the bylaws provide otherwise, a quorum is deemed  
21 present throughout any meeting of the council of unit owners if persons entitled to  
22 cast 25 percent of the total number of votes appurtenant to all units are present in  
23 person or by proxy.

24 (II) IF THE NUMBER OF PERSONS PRESENT AT A PROPERLY CALLED  
25 MEETING OF THE COUNCIL OF UNIT OWNERS IS INSUFFICIENT TO CONSTITUTE A  
26 QUORUM, ANOTHER MEETING OF THE COUNCIL OF UNIT OWNERS MAY BE CALLED  
27 FOR THE SAME PURPOSE IF:

## HOUSE BILL 852

1                                   1.       THE NOTICE OF THE MEETING STATED THAT THE  
2 PROCEDURE AUTHORIZED BY THIS PARAGRAPH MIGHT BE INVOKED; AND

3                                   2.       BY MAJORITY VOTE, THE UNIT OWNERS PRESENT IN  
4 PERSON OR BY PROXY CALL FOR THE ADDITIONAL MEETING.

5                                   (III)   1.       FIFTEEN DAYS' NOTICE OF THE TIME, PLACE, AND  
6 PURPOSE OF THE ADDITIONAL MEETING SHALL BE GIVEN BY ADVERTISEMENT IN A  
7 NEWSPAPER PUBLISHED IN THE COUNTY IN WHICH THE PRINCIPAL OFFICE OF THE  
8 COUNCIL OF UNIT OWNERS IS LOCATED.

9                                   2.       THE NOTICE SHALL CONTAIN THE QUORUM AND VOTING  
10 PROVISIONS OF SUBPARAGRAPH (IV) OF THIS PARAGRAPH.

11                                  (IV)   1.       AT THE ADDITIONAL MEETING, THE UNIT OWNERS  
12 PRESENT IN PERSON OR BY PROXY CONSTITUTE A QUORUM.

13                                  2.       UNLESS THE BYLAWS PROVIDE OTHERWISE, A MAJORITY  
14 OF THE UNIT OWNERS PRESENT IN PERSON OR BY PROXY:

15                                   A.       MAY APPROVE OR AUTHORIZE THE PROPOSED ACTION AT  
16 THE ADDITIONAL MEETING; AND

17                                   B.       MAY TAKE ANY OTHER ACTION THAT COULD HAVE BEEN  
18 TAKEN AT THE ORIGINAL MEETING IF A SUFFICIENT NUMBER OF UNIT OWNERS HAD  
19 BEEN PRESENT.

20       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 July 1, 2003.